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01/22/02

JC698 U.S.

1671 U.S. PRO

1671 U.S. PRO

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 509622000700

First Inventor Terry M. TURPIN

Title OPTICAL CDMA COMMUNICATIONS SYSTEM USING OTDC DEVICE

Express Mail Label No.

**CERTIFICATE OF HAND DELIVERY**

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on January 22, 2002.


  
N. DeRiggi
**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1.  Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages  ]  
(preferred arrangement set forth below)  

- Descriptive title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 USC 113) [Total Sheets  ]

5. Oath or Declaration [Total Pages  ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)  
 i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

6.  Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a.  Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))

10.  37 CFR 3.73(b) Statement  
(where there is an assignee)  Power of Attorney

11.  English Translation document (if applicable)

12.  Information Disclosure Statement  
(IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503)  
Should be specifically itemized

15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.  Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent

17.  Other \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

 Continuation  Divisional  Continuation-in-part (CIP) of prior application No:

Prior application information

Examiner

Group / Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Labelor  Correspondence address below

25227

PATENT TRADEMARK OFFICE

(Insert Customer No. or Attach bar code label here)

Name	Morrison & Foerster LLP 2000 Pennsylvania Ave., NW				
Address					
City	Washington	State	DC	Zip Code	20006
Country	US	Telephone	202-887-1500	Fax	202-263-8396
Name (Print/Type)	Deborah Gladstein		Registration No. (Attorney/Agent)	43,636	
Signature			Date: January 22, 2002		

# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

## TOTAL AMOUNT OF PAYMENT

(\$0)

Complete if Known	
Application Number	NEW
Filing Date	January 22, 2002
First Named Inventor	Terry M. TURPIN
Examiner Name	not assigned
Group Art Unit	not assigned

Attorney Docket No. 509622000700

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison &amp; Foerster LLP

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  UNDER 37 CFR 1.53d, NO FILING FEE IS BEING PAID AT THIS TIME.

Check  Credit Card  Money Order  Other

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$370.00)

## 2. EXTRA CLAIM FEES

Total Claims	38	- 20** =	18	Extra Claims	Fee from below	Fee Paid
Independent Claims	14	- 3** =	11	x	9	= \$162.00

Multiple Dependent			140	= \$
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description

103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	*Reissue independent claims over original patent
110	18	210	9	*Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$624.00)

\* or number previously paid, if greater; For reissues, see above.

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Deborah S. Gladstein	Registration No (Attorney/Agent)	43,636	Telephone	(202) 887-1525
Signature	<i>Deborah S. Gladstein</i>			Date	January 22, 2002

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Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Commissioner for Patents, Washington, DC 20231.

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